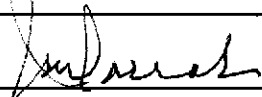


United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	JOHN W. DARRAH	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	10 C 6670 (App. No. 10-3896)	DATE	3-18-11
CASE TITLE	Michael A. Nelson (#32903-077) vs. JP Morgan Chase Bank, et al.		

DOCKET ENTRY TEXT:

Plaintiff's custodial agency is directed to begin making monthly deductions from Plaintiff's trust fund account for payment to the Clerk of Court in accordance with this order. Plaintiff [and the correctional system] are obligated to make monthly payments until the appellate fees of \$455 are paid in their entirety. The clerk shall send a copy of this order to the trust fund officer at the Glenn Dyer North County Jail. The payment obligation follows Plaintiff wherever he may be transferred. On the court's own motion, Plaintiff is granted a final extension of fourteen days to pay the full district court statutory filing fee of \$350. Failure to pay the \$350 filing within fourteen days will result in summary dismissal of this case.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff, a federal prisoner, has brought this *pro se* diversity action pursuant to 42 U.S.C. § 1332. Plaintiff claims, in essence, that the Defendant, JP Morgan Chase Bank, provided fabricated evidence for the government to use at Plaintiff's criminal trial. [Plaintiff was recently convicted of bank fraud, *see United States v. Nelson*, Case No. 06 CR 0005 (N.D. Ill.).]

By Minute Order of November 4, 2010, the Court denied Plaintiff's motion for leave to proceed *in forma pauperis*, finding that he had "struck out" under 28 U.S.C. § 1915(g). The U.S. Court of Appeals for the Seventh Circuit has dismissed Plaintiff's interlocutory appeal, confirming that the dismissals of Plaintiff's prior cases constitute strikes. Accordingly, Plaintiff is granted a final extension of fourteen days to pay the full district court statutory filing fee of \$350. Failure to pay the \$350 filing within fourteen days will result in summary dismissal of this case. No extensions will be granted, as Plaintiff has had some five months to pay the filing fee.

Pursuant to the mandate from the U.S. Court of Appeals for the Seventh Circuit Court, the agency having custody of Plaintiff is directed to remit the appellate docketing fee of \$455 from Plaintiff's prison trust fund account if such funds are available. If Plaintiff does not have \$455 in his account, the agency must send 20 percent of the current balance, or the average balance during the past six months, whichever amount is higher;

(CONTINUED)

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STATEMENT (continued)

thereafter, the agency shall begin forwarding monthly payments from Plaintiff's trust fund account to the Clerk of Court each time Plaintiff's account exceeds \$10 until the statutory appeal fee of \$455 is paid in its entirety. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and the case number assigned to this action.

There are two separate filing fees at issue: Plaintiff is obligated to pay \$350 at the district court level, and incurred a filing fee of \$455 for his interlocutory appeal.